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RIGHTS OF THE CHILD

Letter dated 3 March 1993 from the Chargé d'affaires a.i. of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights

I would kindly ask you to have your office circulate as an official document of the current forty-ninth session of the Commission on Human Rights, under agenda item 24, "Rights of the Child", the enclosed document on the position and problems of children in the Federal Republic of Yugoslavia as a consequence of the war in the territory of the former Socialist Federal Republic of Yugoslavia as well as of the imposition of sanctions against the Federal Republic of Yugoslavia which did not, unfortunately, spare the refugee children.

(Signed): Dr. Vladimir Pavicevic
Ambassador

GE.93-11968 (E)

POSITION AND PROBLEMS OF CHILDREN (REFUGEE CHILDREN INCLUDED) IN THE FEDERAL REPUBLIC OF YUGOSLAVIA AS A CONSEQUENCE OF THE WAR IN THE TERRITORY OF THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA AND OF THE IMPOSITION OF SANCTIONS AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA

1. The question of the rights of the child is, not without reason, one of the most subtle and most important topics on the agenda of the United Nations Commission on Human Rights. The children of all peoples and of all races are the future of the world, a confirmation of love, patience and hope invested in them by adults, but children are also very often the best proof that precisely they are the most vulnerable and are most frequently victims in the conflict of adults.

2. The war conditions in the territory of the former Socialist Federal Republic of Yugoslavia, in particular the unjust and humiliating sanctions imposed by the United Nations Security Council, brought about a speedy and dramatic aggravation of the social and economic status of the entire population of the Federal Republic of Yugoslavia, particularly that of children, with a tendency of daily and continual aggravation.

3. Inflation, which reaches up to 4 per cent daily, accelerates the drop in the real standard of living, while the race between income and prices of basic products indispensable for everyday life, which are growing at vertiginous speed in increasingly shorter time intervals, is more and more to the detriment of income. The quantity of products that can be bought with the realized income has for a long time been below the minimum needed for existence. The number of the poor within the total number of the population is growing progressively. Unemployment is on the increase and sanctions have led to the suspension of more and more of the employed from the work process. The economically exhausted Federal Republic of Yugoslavia is swamped by continuous waves of hundreds of thousands of refugees, mainly women, children and the aged, the majority of whom are accommodated in families. International community aid unfortunately does not meet even the crude real needs of the refugees. In particular not the rehabilitation needs of the refugee children.

4. As a result of such acquired accumulated conditions there has been an aggravation in the position of children to such a level and scope that it represents a flagrant violation of the rights of the child as guaranteed by the Convention on the Rights of the Child.

5. The social climate in which the children are growing, defined in the preamble to the Convention on the Rights of the Child as a precondition for normal growth, instead of happiness and peace is laden with fear, anxiety, animosity, hate, sorrow and insecurity. The war conflicts and abrupt and deep social, political and economic changes, the interruption of communication with relatives and friends from other republics, the growing number of pressures, the slow penetration of truth about one's own people and on the genocide carried out against it all leave grave mental and psychological scars.

6. These states, which are becoming chronic and are accumulating, indirectly and directly influence the quality of family life, namely the quality of the emotional, conceptual, social and moral development of children and the youth in general. Experts predict that the number of children and young people with milder and passing psychic disturbances but also with more serious disorders shall rise and shall have far-reaching negative consequences.

7. The right of the child to enjoy the highest attainable health, medical and rehabilitation care (articles 23 and 24 of the Convention) is threatened. The competent network of health care institutions and the respective experts cannot ensure the necessary level of child health care due to lack of drugs and sanitary material, impossibility of acquisition of medical equipment and of its maintenance due to lack of spare parts, and shortages in heating and other basic needs. Difficulties are also encountered in the obligatory immunization programmes.

8. There are grave difficulties particularly in the field of child oncology and haemodialysis since all health care is completely dependent on medicine and other imports. The shortage in blood processing products (bags, test serums and other) is directly reflected on child health care. Programmes that were under way for reducing the death rate of newborns have practically come to a halt. The positive trend in reducing the death rate of newborns is at a standstill, so that it is becoming negative (in September 1991 the death rate of newborns was 14 per cent while in September 1992 it reached 20.4 per cent). Fuel shortages for vehicles have narrowed and slowed down emergency medical aid in general including that for children.

9. The standard of care in children's wards of general hospitals and specialized hospitals has fallen drastically. There are shortages of bed sheets, hygiene products and disinfectants making it difficult to provide a minimum of hygienic conditions (torn bed sheets, shortage of sheets and pillow-cases, etc.).

10. Child nutrition (article 24 of the Convention) is threatened. Data on the average food consumption from the Federal Institution for Statistics show that the problems are numerous and heterogeneous. There are deficiencies in calcium, iron and vitamin intake per average daily meal. In some regions a surplus of fats and increased cereals consumption has been registered. There is an insufficient intake of meat, milk and vegetable fibres. Such conditions shall result in increased illnesses of the morbidity and morbific structures related to increased intake of fats and insufficient intake of vegetable fibres.

11. The right to education (arts. 28 and 29 of the Convention) is threatened primarily due to the difficult financial situation in this field, the denial of the right to educational and expert information (art. 17 of the Convention) as well as the total interruption of international cooperation on issues related to education.

12. Children of Albanian nationality in the Autonomous Province of Kosovo and Metohija have been denied by the members of their nationality, who carry out a

nationalistic and secessionist policy, the right to attendance at regular legally set-up schools. There is no objective nor real cause for such an action since education in the mother tongue has been provided for and is guaranteed by the Republic of Serbia and, just like everybody else, the members of the Albanian nationality can participate on any level in the drawing up of school curricular as well as in overall school management. The right to education, and the right to education of youth of the Albanian nationality, should be protected from threats emanating from an unacceptable politization carried out by nationalists and separatists in the ranks of the Albanian nationality.

13. The right of every child to enjoy social care (art. 26, para. 1 of the Convention) is endangered due to lack of funds indispensable for maintaining the attained level of this care. The position of invalid children has been aggravated both as regards social care institutions and the provision of special care and assistance.

14. Institutions charged with care for and education of pre-school children are faced with the problem of children being taken out of the institutions because the parents cannot cover the costs and because of compulsory leave due to the imposed sanctions.

15. Hyperinflation completely devalues the measures providing for and the right to various allowances (child allowance, maternity leave allowance, etc.) so that these forms of child care do not provide even a minimum of protection to the most impoverished families.

16. The right of the child to vacation and leisure time, play and reaction, as well as participation in the cultural life and art (art. 31 of the Convention) is threatened. Although proclaimed as a right of the child and as a precondition for its harmonious development and education, in conditions of a drastic fall in the living standard and in the isolation of the Federal Republic of Yugoslavia, never before experienced until today, these needs have been completely reduced.

17. The living standard of children as a whole has been threatened. Neither parents nor the State are in the position to provide adequate living conditions for the physical, mental, spiritual, moral and social development of the child.

18. In the Federal Republic of Yugoslavia, the child enjoys the right to its name, to guardianship, to citizenship, to safeguarding of its identity, to family ties, to freedom of opinion, consciousness and religion, to privacy, national identity, freedom of expression and freedom to demand, take and offer information, to freedom of association and freedom of peaceful gathering.

19. As has already been underlined, the fate of children in the Federal Republic of Yugoslavia is shared by their small friends - refugees from other former republics of the Socialist Federal Republic of Yugoslavia, particularly the 250,000 child refugees from Croatia and Bosnia and Herzegovina.

20. The majority of the children have taken refuge with their mothers, while their fathers and other male relatives have stayed on to defend their hearths. This separation within families leads to psycho-physical development disorders (concern for parents, adaptation problems in a new environment, loss of contact with close and dear persons, etc.).

21. The latest data available show that the number of children without parents reaches up to 1,200. These children have felt the consequences of the horrors of war either directly (devastation, suffering, killing, massacre) or indirectly (emotional stress, media propaganda, refuge, etc.).

22. War psychosis, uncertainties and continual fear have paralysed children's daily activities, they cause anxiety in the children's souls, and the tragic consequences of such a childhood are being manifested through various forms of the children's disorganization. The children's emotional, psychic, social and cultural balance have been gravely affected by a life in shelters, tents, cellars, the impossibility of playing in safety and of moving freely.

23. The children of former Yugoslavia have experienced as particularly traumatic the upset of until then friendly, comradely and warm relations with children in the neighbourhood who, as a result of the escalation of the war conflict and the straining of inter-ethnic relations, have become enemies under the influence of antagonistic feelings among adults. Such abrupt shifts in companionship, relations at school, in the neighbourhood, in the street, have all disrupted the emotional balance of the children and have incited feelings incomprehensible to the children but nonetheless evident such as aggressivity and intolerance towards children of other nationalities. The degree of tolerance has weakened, links with a safe, materially and emotionally stable life have been severed and have been replaced by constant fear.

24. Out of about 250,000 children, around 140,000 are school-age children aged 7 to 18, which means that beside the above-mentioned problems these children are also faced with the problem of getting used to new curricula. Although the majority of the children are one year behind with school due to the war, the Federal Republic of Yugoslavia has done its utmost to make certain that every child has been enrolled. The children have been accommodated, enrolled at school, provided with indispensable school kits and textbooks, but not all the needs have been met. It does not even meet the minimum of needs of refugee children since their inflow from war-ravaged areas is continual. At the same time, we must bear in mind that 96.9 per cent of the refugees have been accommodated in families. Since the inhabitants of Yugoslavia have been brought to the brink of existence as a result of the sanctions imposed by the international community, they are more and more obliged to deny hospitality to the refugees.

25. A particularly threatened category are pupils and students. The teenage group of 14- to 18-year-olds are a particularly symptomatic group. The most frequent disorders registered in this group are of a psychic order, on the one hand, severe states of depression usually accompanied by suicide attempts, desperation and loss of communication with the environment, and on the other, greater aggressiveness, juvenile delinquency, alcohol and drug abuse and prostitution.

26. An appeal for assistance in solving these problems has been sent out to all international humanitarian organizations. Unfortunately, that which has been offered is far from sufficient. The biggest problem is how to have children exempted from the sanctions. As if being driven away from their homes were not a terrible enough punishment, they are being deprived of the right to health and medical care, social care, education, participation in cultural life and art, in games and recreation. Conditions that would adequately meet the needs of a child's physical, mental, spiritual, moral and social development do not exist.

27. Therefore, the children of the Federal Republic of Yugoslavia ask the United Nations and the States signatories to the Declaration on the Rights of the Child and the Convention on the Rights of the Child: How long will the latter go on violating these documents? Are all children not equal and equally innocent? Does the basic motto of the Declaration on the Rights of the Child, "Humanity owes to the child the best it can offer it," not count any more?

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